

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PAR PHARMACEUTICAL, INC.,)
PAR STERILE PRODUCTS, LLC, and)
ENDO PAR INNOVATION)
COMPANY, LLC,)

Plaintiffs,

V.

EAGLE PHARMACEUTICALS INC.,)

Defendant.

C.A. No. 18-823-CFC-JLH

**LETTER TO THE HONORABLE COLM F. CONNOLLY
FROM DAVID E. MOORE, ESQUIRE**

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Dated: May 25, 2021
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May 25, 2021

VIA ELECTRONIC FILING

The Honorable Colm F. Connolly
United States District Judge
J. Caleb Boggs Federal Building
844 N. King Street
Unit 31, Room 4124
Wilmington, DE 19801-3555



Re: *Par Pharm., Inc. v. Eagle Pharm., Inc.*, C.A. No. 18-823-CFC

Dear Judge Connolly:

This firm, together with Kirkland & Ellis LLP, represents Defendant Eagle Pharmaceuticals, Inc. ("Eagle") in the above-captioned matter. We write to apprise the Court of the status of the parties' trial preparations in response to Par's May 24, 2021 letter.

As Par acknowledges, the supplemental fact discovery is now complete, Par served a supplemental expert report on May 12, and Eagle will serve a responsive expert report this week. The parties will then be fully ready to proceed to trial in this important matter as scheduled on July 7. Counsel for the parties conferred on May 24, 2021 and agree that this case is trial ready.

The status of Eagle's ANDA does not impact trial-readiness. The narrow issues in the FDA's [REDACTED] CRL do not bear on the legal case before the Court, and Par has not suggested otherwise. Eagle has diligently worked to prepare its response to the CRL and anticipates submitting it by mid-June. Because vasopressin has been both prioritized at the FDA and flagged as a COVID priority, Eagle believes the FDA will review Eagle's reply on an accelerated timeline, like it did with Eagle's last submission, which the FDA responded to in four months.

Eagle believes its response will fully address the FDA's questions and is hopeful that this important generic product will be approved before the end of the

The Honorable Colm F. Connolly

May 25, 2021

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year. We look forward to the opportunity to present Eagle's case to the Court as scheduled.

Respectfully,

/s/ David E. Moore

David E. Moore

DEM:nmt/7210384/45185

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)